

REMARKS

Applicants have studied the Office Action of April 9, 2004 ("Office Action"). It is respectfully submitted that the application is in condition for allowance. Prior to entry of the present amendment, Claims 12-18, 20-23, 43-58 and 60-70 were pending in the present application. Claims 12-18 and 20-23 stood withdrawn from consideration pursuant to 37 CFR 1.142(b); Claims 63-70 had been rejected; and Claims 43-58 and 60-62 had been allowed, for which Applicants thank Examiner. Claims 12-18, 20-23 and 63-70 have been cancelled by virtue of the present amendment, without prejudice. Allowance of the application in view of Applicants' amendment and the ensuing remarks is respectfully requested.

Examiner rejected Claims 63-70 based on 35 U.S.C. § 112, first paragraph, as lacking enablement. In particular, Examiner found that the specification "*does not reasonably provide enablement for a nucleotide sequence consisting of a sequence which is 60% identical to SEQ ID NO: 2 and SEQ ID NO: 3,*" stating further that "*Applicant has only taught SEQ ID NO: 2 and SEQ ID NO: 3, which are 82.6% identical, and not a nucleotide sequence consisting of a sequence which is 60% identical to SEQ ID NO: 2 and SEQ ID NO: 3 that encode Tfr polypeptides.*" Claims 63-70 have been cancelled; thereby rendering this rejection moot.

Applicants believe that the present amendment and foregoing remarks place the application in condition for allowance. A favorable action is respectfully requested. If for any reason Examiner finds the application other than in condition for allowance, Examiner is

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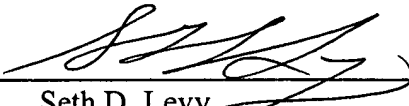
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requested to call the undersigned attorney at the Los Angeles telephone number (213) 488-7100 to discuss the steps necessary for placing the application in condition for allowance.

Respectfully submitted,
PILLSBURY WINTHROP LLP

Date: July 9, 2004

By: 
Seth D. Levy
Registration No. 44,869
Attorney for Applicants

725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5443
Telephone: (213) 488-7100
Facsimile: (213) 629-1033